

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day and Vanna Howard

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to healthy youth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/13/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/14/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to healthy youth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 69 of the General Laws is hereby amended by inserting after
2 section 1E the following section:-

3 Section 1E ½. Each city, town, regional school district, vocational school district and
4 charter school shall file a biennial report regarding sexual health education, which shall include,
5 but not be limited to, for each city, town, regional school district, vocational school district and
6 charter school, by grade level: (i) the name and a description of any sexual health education
7 curriculum offered; (ii) the approximate number of hours spent on sexual health education; (iii)
8 the number of students enrolled in sexual health education; and (iv) the number of students who
9 withdrew from sexual health education under section 32A of chapter 71. The report shall be filed
10 with the board of elementary and secondary education each even-numbered year by a date and in
11 a format to be determined by the board.

12

13 The commissioner shall make the data collected under this section available to the public
14 on the department’s website and transmit the data to the department of public health within 30
15 days of the date established by the board for the filing of biennial reports under this section.

16 SECTION 2. Chapter 71 of the General Laws is hereby amended by striking out section
17 32A, as so appearing, and inserting in place thereof the following 2 sections:-

18 Section 32A. A city, town, regional school district, vocational school district or charter
19 school implementing or maintaining a curriculum that primarily involves sexual education shall
20 adopt a written policy ensuring that parents and guardians are notified of: (i) the comprehensive
21 sexual health education offered by the school; (ii) the right of a parent or guardian to withdraw a
22 student from all or part of the instruction; and (iii) the process for a parent or guardian to notify
23 the school of a student’s withdrawal. The policy shall include a process for a parent or guardian,
24 at the parent or guardian’s request, to inspect the instruction materials prior to the start of the
25 course.

26 To the extent possible, such notifications shall be provided in English and in other
27 commonly spoken languages spoken by parents and guardians of students in the district or
28 charter school. Annually, not later than the first day of a school year, the policy shall be
29 distributed to the parents and guardians of students in a grade that includes a comprehensive
30 sexual health education curriculum for said school year. The policy shall be distributed in the
31 same manner as any student handbook that is distributed to students; provided, however, that if
32 student handbooks are not distributed in a certain grade, the policy shall be distributed in the
33 same manner as other notices provided to parents and guardians of students in that grade at the
34 start of the school year.

35 Each district and charter school shall send a copy of its policy, including, if applicable,
36 the name of the comprehensive sexual health education curriculum to the department of
37 elementary and secondary education upon adoption of the policy and upon any amendment of the
38 policy.

39 If a parent or guardian withdraws a student from all or part of the comprehensive sexual
40 health education curriculum, the student shall not be subject to disciplinary action, academic
41 penalty or any other sanction. An alternative educational activity shall be made available to a
42 student who has been withdrawn from the sexual health education instruction.

43 Section 32B. (a) For the purposes of this section, the following terms shall have the
44 following meanings unless the context clearly requires otherwise:

45

46 “Age-appropriate”, topics, messages and teaching methods that are suitable to particular
47 ages or age groups of children and adolescents and based on developing cognitive, emotional,
48 social and behavioral capacity typical for that age or age group.

49

50 “Department”, the department of elementary and secondary education.

51

52 “Medically accurate”, supported by peer-reviewed research conducted in compliance
53 with accepted scientific methods and recognized as accurate and objective by leading medical,
54 psychological, psychiatric and public health organizations and agencies and, if relevant,
55 published in peer-reviewed journals.

56

57 (b) For the purposes of this section, a curriculum’s discussions of the terms “consent”,
58 “gender expression”, “gender identity” and “sexual orientation” shall be construed consistently
59 with the terms as used or defined in the annual report of the commission on lesbian, gay,
60 bisexual, transgender, queer and questioning youth established under section 67 of chapter 3.

61

62 (c) A city, town, regional school district, vocational school district or charter school that
63 offers sexual health curriculum shall provide a medically accurate, age-appropriate,
64 comprehensive sexual health education consistent with the Massachusetts Comprehensive Health
65 and Physical Education Curriculum Framework. Sexual health education shall be appropriate for
66 students regardless of gender, race, disability status, sexual orientation or gender identity and
67 shall include, but not be limited to, age-appropriate teaching of: (i) physical, social and
68 emotional changes of human development; (ii) human anatomy, reproduction and sexual
69 development; (iii) the benefits of abstinence and delaying sexual activity, the prevention of
70 sexually transmitted infections, including, but not limited to, human immunodeficiency virus and
71 acquired immune deficiency syndrome, and the prevention of unintended pregnancy, including,
72 but not limited to, the effective use of contraceptives and barrier methods; (iv) ways to
73 effectively discuss safe sexual activity; (v) relationship and communication skills to form
74 healthy, respectful relationships free of violence, coercion and intimidation and to make healthy
75 decisions about relationships and sexuality, including, but not limited to, affirmative, conscious
76 and voluntary consent to engage in physical or sexual activity; (vi) skills to recognize and
77 prevent dating violence; and (vii) age-appropriate information about: (A) gender identity and

78 sexual orientation for all students, including affirmative education that people have different
79 sexual orientations, gender identities and gender expressions; and (B) resources and support
80 services for all students, including, but not limited to, lesbian, gay, bisexual, transgender,
81 intersex, agender, queer and questioning students. Sexual health education shall incorporate
82 opportunities for students to analyze societal and media messages.

83

84 (d) Any city, town, regional school district, vocational school district or charter school
85 that utilizes curricula consistent with the Massachusetts Comprehensive Health and Physical
86 Education Curriculum Framework shall be in compliance with this section.

87

88 (e) The department shall issue rules to implement, administer and ensure compliance with
89 this section.

90

91 (f) The department may determine minimum education and training qualifications for
92 sexual health education instructors.

93

94 (g) Not less than every 10 years, the board of elementary and secondary education shall
95 review and update the Massachusetts Comprehensive Health and Physical Education Curriculum
96 Framework, including provisions relative to sexual health education consistent with this section,
97 in accordance with section 1E of chapter 69.

98

99 SECTION 3. This act shall take effect for the academic year immediately following its
100 passage.